

REMARKS

Applicant submits that the present communication is intended to place the application in condition for allowance, or to at least reduce the issues upon appeal. Entry of this communication is therefore respectfully requested. Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and the reasons that follow.

By the present amendment, claims 58, 61, 63, 72-74, 76, 77, 79, 92-95, 133, and 134 are amended, claims 59, 62, 75, and 78 are canceled (claims 1-57, 96-132, and 136 having been canceled by previous amendment), and claims 137-142 are newly added. No new matter is added by way of amendment, claim 74 having been amended by incorporation of claim 75 as indicated in the Final Office Action to be allowable. Claim 76 is amended with respect to antecedent basis with respect to the amendment to claim 74 from which it depends. Claims 137-142 are directed to the compound of Example 4, Applicant's elected species for the purposes of the initial search and examination, which the Examiner has indicated to be free of any prior art. Office Action, section 7.

A detailed listing of all claims is presented with an appropriate defined status identifier. Upon entry of the present amendments, claims 58, 60, 61, 63-74, 76, 77, 79-95, 133-135, and 137-142 will be pending in the application with claims 58, 60, 61, 63-73, 77, 79-95, 134, and 135 withdrawn from consideration as directed to a non-elected invention. Claims 74-76, 133, and 137-142 are currently under examination.

Rejection Under 35 U.S.C. § 102.

Claims 74 and 133 have been rejected under 35 U.S.C. § 102(h) as being anticipated by *Chem. Ber.*, 122(5); 969-973 (1989). In view of the incorporation of allowable claim 75 into claim 74, Applicant respectfully traverses this rejection and requests that it be withdrawn.

Rejoinder

In response to the restriction requirement of March 23, 2010, Applicant elected Group III, encompassing claims 58-95 and 133. Because all of the outstanding rejections have now been overcome, Applicant requests that the remaining species of Group III be examined, and that all claims of the elected group be allowed to proceed to issuance together. Accordingly, Applicant requests that claims 58-73, 77-95, 134 and 135 be rejoined to the application at the present time.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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